

REMARKS

Applicant has carefully reviewed the Office Action mailed September 25, 2007 and offers the following remarks to accompany the above amendments.

Applicant has cancelled original claims 1-60 and added new claims 61-108. However, it should be noted that the cancellation of claims 1-60 should not be construed as an admission by Applicant regarding the patentability of those claims.

Rejections of Original Claims 1-60

In light of the cancellation of claims 1-60, the rejections of claims 1-60 are moot. The prior art forming the basis of the rejections of claims 1-60 is addressed below in the discussion of new claims 61-108.

New Claims 61-77

Claims 61 through 77 are directed to a method that utilizes user profile matching in order to select a playlist to be delivered to a media player device. More specifically, claim 61 is directed to a method where a target profile of a user of a media player device is compared to each of a plurality of user profiles in order to select a matching user profile from the plurality of user profiles. A playlist of a matching user associated with the matching user profile is then selected for delivery to the media player device.

The reference used to reject the original claims directed to profile matching, such as claim 26, was U.S. Patent No. 6,526,411 B1 to Ward (hereinafter "Ward"). Ward discloses a system and method for creating dynamic playlists. In the system disclosed by Ward, a sort server system (130) operates to expand a number of meta-categories provided by a user into an expanded dynamic playlist. The sort server system (130) then returns the expanded playlist to the dynamic playlist content player system (110). See col. 8, lines 20-27. Thus, the sort server system (130) dynamically creates playlists and provides the dynamically created playlists to the dynamic playlist content player system (110).

In order to reject the original claims directed to user profile matching as being anticipated by Ward, the Patent Office relied on col. 9, lines 8-23 of Ward. In col. 9, lines 8-23, Ward discloses a process for grouping similar user profiles when building a hash table. More specifically, Ward discloses identifying a group of similar user profiles. The frequency of all

elements in the group of similar user profiles are counted. The most frequent items are used to build a hash profile to represent the group of similar user profiles in a hash table.

While Ward discloses identifying similar user profiles, Ward fails to disclose: (1) comparing each of a plurality of user profiles with a target user profile of a first user associated with a media player device to select a matching user profile and (2) effecting selection of a playlist of a matching user associated with the matching user profile for delivery to the media player device of the first user. The other references cited in the Office Action mailed September 25, 2007 fail to correct the deficiencies of Ward. As such, claim 61 is allowable.

Regarding claim 62, the prior art cited by the Patent Office also fails to disclose comparing each of the plurality of profiles with a target user profile to select a matching user profile, wherein the matching user profile is one of the plurality of user profiles that is most similar to the target user profile. As such, for both this reason and the reasons set forth with respect to claim 61, claim 62 is allowable.

Regarding claim 63, the prior art cited by the Patent Office also fails to disclose a plurality of playlists stored by at least one server, each of the plurality of playlists being a playlist of one a plurality of users, and each of the plurality of users being associated with one of the plurality of user profiles. As such, for both this reason and the reasons set forth with respect to claim 61, claim 63 is allowable.

Claims 64 and 65 are dependent upon claims 61 and 63. Therefore, claims 64 and 65 are allowable for at least the same reasons that claims 61 and 63 are allowable. However, Applicant reserves the right to further address claims 64 and 65 in the future if necessary.

Regarding claims 66 and 67, the prior art cited by the Patent Office also fails to disclose performing the claimed comparing step at a media player device and then requesting delivery of the playlist from the at least one server to the media player device. As such, for both this reason and the reasons set forth with respect to claims 61 and 63, claims 66 and 67 are allowable.

Claim 68 is dependent upon claims 61 and 63. Therefore, claim 68 is allowable for at least the same reasons that claims 61 and 63 are allowable. However, Applicant reserves the right to further address claim 68 in the future if necessary.

Regarding claim 69, the prior art cited by the Patent Office also fails to disclose storing a plurality of playlists on a plurality of peer media player devices forming a Peer-to-Peer (P2P) network where a playlist associated with a matching user is to be delivered from the plurality of

peer media player devices forming the P2P network to the media player device. As such, for both this reason and the reasons set forth with respect to claims 61 and 63, claim 69 is allowable.

Regarding claim 70, the prior art cited by the Patent Office also fails to disclose a system where the claimed comparing step is performed in a distributed fashion among peer media player devices forming a P2P network. As such, for both this reason and the reasons set forth with respect to claims 61 and 63, claim 70 is allowable.

Claim 71 is dependent upon claims 61 and 63. Therefore, claim 71 is allowable for at least the same reasons that claims 61 and 63 are allowable. However, Applicant reserves the right to further address claim 71 in the future if necessary.

Regarding claim 72, the prior art cited by the Patent Office also fails to disclose automatically updating the playlist communicated to the media player device in response to changes made to the playlist stored by a matching user. As such, for both this reason and the reasons set forth with respect to claims 61 and 63, claim 72 is allowable.

Regarding claim 73, the prior art cited by the Patent Office also fails to disclose filtering the playlist communicated to the media player device to remove at least one item that is not compatible with the media player device. As such, for both this reason and the reasons set forth with respect to claims 61 and 63, claim 73 is allowable.

Regarding claim 74, the prior art cited by the Patent Office also fails to disclose filtering the playlist communicated to the media player device to remove at least one item that is not compatible with the location of the media player device. As such, for both this reason and the reasons set forth with respect to claims 61 and 63, claim 74 is allowable.

Regarding claim 75, the prior art cited by the Patent Office also fails to disclose editing the playlist of the matching user at the media player device to further include items played in excess of a threshold rate at the media player device. As such, for both this reason and the reasons set forth with respect to claims 61 and 63, claim 75 is allowable.

Regarding claim 76, the prior art cited by the Patent Office also fails to disclose editing the playlist of the matching user at the media player device to remove items played less than a threshold rate at the media player device. As such, for both this reason and the reasons set forth with respect to claims 61 and 63, claim 76 is allowable.

Claim 77 is dependent upon claim 61. Therefore, for at least the same reasons that claim 61 is allowable, claim 77 is also allowable. However, Applicant reserves the right to further address claim 77 in the future if necessary.

New Claims 78-88

Claims 78 through 88 are directed to a media player device in a system for sharing playlists. More specifically, regarding claim 78, in order to obtain a desired playlist, the media player device compares each of a plurality of user profiles with a target user profile of a user of the media player device to select a matching user profile. Once a matching user profile is selected, the media player device effects delivery of a playlist of a matching user associated with the matching user profile from a server storing the playlist to the media player device.

As discussed above, the primary reference used to reject the original claims directed to profile matching was Ward. However, Ward fails to disclose: (1) comparing each of a plurality of user profiles to a target user profile of a user of the media player device and (2) effecting delivery of a playlist of a matching user associated with the matching user profile from a server storing the playlist to the media player device. The other prior art references cited by the Patent Office do not correct the deficiencies of Ward. As such, claim 78 is allowable.

Regarding claim 79, the prior art cited by the Patent Office also fails to disclose comparing each of the plurality of profiles with a target user profile to select a matching user profile, wherein the matching user profile is one of the plurality of user profiles that is most similar to the target user profile. As such, for both this reason and the reasons set forth with respect to claim 78, claim 79 is allowable.

Claim 80 is dependent upon claim 78. Therefore, claim 80 is allowable for at least the same reasons that claim 78 is allowable. However, Applicant reserves the right to further address claim 80 in the future if necessary.

Regarding claim 81, the prior art cited by the Patent Office also fails to disclose effecting delivery of a playlist of a matching user from one of a plurality of peer media player devices forming a Peer-to-Peer (P2P) network. As such, for both this reason and the reasons set forth with respect to claim 78, claim 81 is allowable.

Regarding claim 82, the prior art cited by the Patent Office also fails to disclose automatically updating the playlist communicated to the media player device in response to

changes made to the playlist by the matching user. As such, for both this reason and the reasons set forth with respect to claim 78, claim 82 is allowable.

Regarding claim 83, the prior art cited by the Patent Office also fails to disclose filtering the playlist communicated to the media player device to remove at least one item that is not compatible with the media player device. As such, for both this reason and the reasons set forth with respect to claim 78, claim 83 is allowable.

Regarding claim 84, the prior art cited by the Patent Office also fails to disclose filtering the playlist communicated to the media player device to remove at least one item that is not compatible with the location of the media player device. As such, for both this reason and the reasons set forth with respect to claim 78, claim 84 is allowable.

Regarding claim 85, the prior art cited by the Patent Office also fails to disclose editing the playlist of the matching user at the media player device to further include items played in excess of a threshold rate at the media player device. As such, for both this reason and the reasons set forth with respect to claim 78, claim 85 is allowable.

Regarding claim 86, the prior art cited by the Patent Office also fails to disclose editing the playlist of the matching user at the media player device to remove items played less than a threshold rate at the media player device. As such, for both this reason and the reasons set forth with respect to claim 78, claim 86 is allowable.

Claim 87 is dependent upon claim 78. Therefore, claim 87 is allowable for at least the same reasons that claim 78 is allowable. However, Applicant reserves the right to further address claim 87 in the future if necessary.

Regarding claim 88, the prior art cited by the Patent Office also fails to disclose a plurality of playlists stored by at least one server including the server, each of the plurality of playlists being a playlist of one a plurality of users, and each of the plurality of users being associated with one of the plurality of user profiles. As such, for both this reason and the reasons set forth with respect to claim 78, claim 88 is allowable.

New Claims 89-92

Claims 89 through 92 are directed to a server in a system for sharing playlists. More specifically, regarding claim 89, a plurality of playlists are stored by the server. Each of the plurality of playlists is associated with one of a plurality of users. In order to identify a playlist to communicate to a media player device, the server compares a user profile of a target user of the media player device to user profiles of the plurality of users associated with the playlists stored by the server. Once a matching user is identified, the server communicates the playlist associated with the matching user to the media player device.

As discussed above, the primary reference used to reject the original claims directed to profile matching was Ward. However, Ward fails to disclose: (1) a plurality of playlists stored by a server, (2) each of the playlists associated with one of a plurality of users, (3) comparing a target user profile of a user of the media player device to user profiles of the plurality of users associated with the playlists to select a matching user profile and therefore a matching user from the plurality of users, and (4) communicating a playlist of the matching user from the plurality of playlists stored by the server from the server to the media player device. The other prior art references cited by the Patent Office do not correct the deficiencies of Ward. As such, claim 89 is allowable.

Regarding claim 90, the prior art cited by the Patent Office also fails to disclose comparing user profiles of the plurality of users to a target user profile to identify a matching user profile, wherein the matching user profile is one of the plurality of user profiles that is most similar to the target user profile. As such, for both this reason and the reasons set forth with respect to claim 89, claim 90 is allowable.

Regarding claim 91, the prior art cited by the Patent Office also fails to disclose automatically updating the playlist communicated to the media player device in response to changes made to the playlist by the matching user. As such, for both this reason and the reasons set forth with respect to claim 89, claim 91 is allowable.

Claim 92 is dependent upon claim 89. Therefore, claim 92 is allowable for at least the same reasons that claim 89 is allowable. However, Applicant reserves the right to further address claim 92 in the future if necessary.

New Claims 93-96

Claims 93 through 96 are directed to a method for automatically updating a shared playlist. More specifically, regarding claim 93, a select playlist to be communicated to a media player device of a first user is identified from a plurality of playlists. The select playlist is that of a second user. The select playlist is delivered to the media player device. Thereafter, the playlist delivered to the media player device is automatically updated at the media player device in response to a change made to the playlist by the second user.

The original claims directed to auto-updating were rejected as being anticipated by Ward (col. 1, lines 49-53). As discussed above, Ward discloses a system and method for creating dynamic playlists. In the system disclosed by Ward, a sort server system (130) operates to expand a number of meta-categories provided by a user into an expanded dynamic playlist. The sort server system (130) then returns the expanded playlist to the dynamic playlist content player system (110). See col. 8, lines 20-27. As different media content becomes available to the sort server system (130), the items in a dynamic playlist may change.

However, Ward fails to disclose sharing a playlist of a second user with a first user and thereafter updating the playlist at the media player device of the first user in response to changes made to the playlist by the second user. The other prior art cited by the Patent Office fails to correct this deficiency. As such, claim 93 is allowable.

Regarding claim 94, the prior art cited by the Patent Office fails to disclose automatically updating the select playlist at the media player device in response to addition of a media content item to the select playlist by the second user. As such, for both this reason and the reasons set forth with respect to claim 93, claim 94 is allowable.

Claim 95 is dependent upon claim 93. Therefore, claim 95 is allowable for at least the same reasons that claim 93 is allowable. However, Applicant reserves the right to further address claim 95 in the future if necessary.

Regarding claim 96, the prior art cited by the Patent Office also fails to disclose storing a plurality of playlists on a plurality of peer media player devices forming a Peer-to-Peer (P2P) network and effecting delivery of a select playlist from the plurality of peer media player devices forming the P2P network to the media player device. As such, for both this reason and the reasons set forth with respect to claim 93, claim 96 is allowable.

New Claims 97-108

New claims 97 through 108 are directed to various embodiments of the present invention utilizing a remote control. More specifically, claims 97 through 106 are directed to a remote control that receives a playlist from a remote source. The remote source may be a central server (see, for example, Figure 3), a peer device (see, for example, Figure 5), or an associated media player device (see, for example, paragraph [0085]). Once the playlist is received by the remote control, an associated user may utilize the playlist to choose which selection therefrom is to be played by the associated media player device. Claims 107 and 108 are directed to a media player device that receives a playlist from a remote source and then communicates the received playlist to an associated remote control.

With respect to claims 97 through 106, the prior art cited by the Patent Office fails to disclose at least a remote control that (1) receives a playlist from a remote source and (2) presents the playlist to an associated user to enable the user to select an item from the playlist for playback by an associated media player device. As such, claims 97 through 106 are allowable.

With respect to claims 107 and 108, the prior art cited by the Patent Office fails to disclose at least a media player device that (1) receives a playlist from a remote source and (2) communicates the playlist to an associated remote control. As such, claims 107 and 108 are allowable.

Conclusion

The present application is now in condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact Applicant's representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,

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Date: December 17, 2007

Attorney Docket: 1116-065